

**UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF MISSOURI
SOUTHEASTERN DIVISION**

**TERRY VAUGHN and
SHARON VAUGHN,**

Petitioners,

v.

**CENTER STREET SECURITIES, INC., JACK
R. THACKER, and JEFFREY T. KENNEDY,**

Respondents.

Case No. 4:25-cv-00078-SPM

PETITIONERS AND RESPONDENT JEFFREY T. KENNEDY JOINT REPORT

Petitioners Terry Vaughn and Sharon Vaughn and Respondent Jeffrey T. Kennedy (hereinafter “parties”) submit this Joint Proposed Scheduling Plan. Respondents Center Street Securities, Inc. and Jack. R. Thacker¹ have both defaulted in this matter.

As to the matters identified in the Court’s Order Setting Rule 16 Conference (Doc. # 13), the parties submit the following:

- (a) Given the nature of this matter, as a Petition to Confirm and Counter-Petition to Vacate an Arbitration Award, Petitioners believe this should be designated as a Track 1: Expedited case. Respondent Kennedy’s position is that this should remain as a Track 2 case.

¹ After he defaulted, Respondent Thacker submitted a bankruptcy petition in the Eastern District of Tennessee Bankruptcy Court. Petitioners have sought relief from the automatic stay in the bankruptcy matter (Case No. 2:25-BK-50237-RRM). Once granted, Petitioners intend to proceed with requesting formal entry of default against Respondent Thacker.

- (b) Dates for joinder of additional parties or amendments of pleadings: April 24, 2025.
- (c) Outside of the possibility that Respondent Kennedy may wish to issue a subpoena to the Financial Industry Regulatory Authority, the parties do not believe any discovery will be necessary in this matter given the nature of the proceeding. *See, e.g.*, FED. R. CIV. P. Rule 26(1)(b) (“Proceedings Exempt from Initial Disclosure. The following proceedings are exempt from initial disclosure: ... (ix) an action to enforce an arbitration award.”). Thus, the parties do not believe there are dates that need to be set for the exchange of information and documents under Rule 26(a)(1), Fed. R. Civ. P., and the parties do not believe any discovery will be needed (other than the possibility of a subpoena anticipated by Respondent Kennedy) or that any dates for disclosure of expert witnesses or reports will be needed, or that any depositions or interrogatories will be needed, or any physical or mental examinations will be needed, or that any provisions for disclosure of discovery or electronically stored information are necessary. Thus, the parties would suggest no deadlines for the discovery plan.
- (d) The parties are currently discussing issues surrounding potential settlement or mediation. The parties do not believe a referral to formal mediation or early neutral evaluation would be productive at this time.
- (e) The parties do not believe motions to dismiss or motions for summary judgment are necessary as this matter can be resolved based on the submissions or further briefing and hearings if the Court believes it is necessary. *See, e.g., McClelland v. Azrilyan*, 31 F. Supp. 2d 707, 713 (W.D. Mo.), *aff'd sub nom. McClelland v. Squieri*,

168 F.3d 494 (8th Cir. 1998) (confirmation actions intended to be summary proceedings).

(f) The parties do not believe a formal trial is necessary.

(g) The parties believe that the matters could be resolved on the papers or briefing or the scheduling of a brief hearing. Respondent Kennedy would request a formal hearing and believes that hearing could be set for one hour, and Petitioners do not object to this.

(h) None.

Respectfully submitted this 3rd day of April, 2025.

/s/ Michael C. Bixby
Michael C. Bixby
BIXBY LAW PLLC
4300 Bayou Blvd., Suite 16
Pensacola, FL 32503
Bar No.: 111367(FL)
Email: Michael@BixbyLawFirm.com
Phone: (850) 332-6945

***Attorney for Petitioners Terry & Sharon
Vaughn***

/s/Jeff Kennedy
Jeffrey T. Kennedy, Respondent
Pro se

CERTIFICATE OF SERVICE

I hereby certify that a true copy of the foregoing Answer was filed via the CM/ECF System and served via email to Jeffrey T. Kennedy at jt@greatwestserv.com on this 3rd day of April, 2025.

/s/ Michael C. Bixby